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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/830,099 | 04/23/2004 | Lambert Wixson | 024478-00023 | 7522 |

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| EXAMINER |
|---|
| RAO, ANAND SHASHIKANT |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2621 | |

| NOTIFICATION DATE | DELIVERY MODE |
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| 04/30/2009 | ELECTRONIC |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

DCIPDocket@arentfox.com
IPMatters@arentfox.com
Patent_Mail@arentfox.com

| | Application No. | Applicant(s) |
|---|---|---|
| **Office Action Summary** | 10/830,099 | WIXSON ET AL. |
| | Examiner | Art Unit | |
| | Andy S. Rao | 2621 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1) ☒ Responsive to communication(s) filed on *16 January 2009*.
2a) ☒ This action is **FINAL**.     2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

4) ☒ Claim(s) *1-56* is/are pending in the application.
    4a) Of the above claim(s) *1-9, 24-29 and 36-56* is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *10-18, 20-23, 30-35* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

## Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some *   c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

U.S. Patent and Trademark Office
PTOL-326 (Rev. 08-06)     Office Action Summary     Part of Paper No./Mail Date 20090427

## DETAILED ACTION

### *Response to Amendment*

1.      Applicant's arguments with respect to claims 10-18, 20-23, and 30-35 as filed on 1/16/09

have been considered but are moot in view of the new ground(s) of rejection.

### *Claim Rejections - 35 USC § 103*

2.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains.  Patentability shall not be negatived by the
> manner in which the invention was made.

3.      Claims 10-18, 20-23, and 30-35 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Amini et al., (hereinafter referred to as "Amini") in view of Maeno.

Amini discloses a method for performing remote video audits (Amini: figures 7-8), the

method comprising: creating an audit spreadsheet containing a plurality of audit items (Amini:

column 14, lines 5-17); selecting at least one of the plurality of audit items (Amini: column 14,

lines 15-20); obtaining video information regarding the selected audit item (Amini: column 14,

lines 30-40); entering a classification for the selected audit item based on reviewing the video

information (Amini: column 9, lines 55-65: event processing/determination of the video), storing

the selected audit item after the classification is entered (Amini: column 14, lines 65-67; column

15, lines 1-6: storing of the event specific video footage); and calculating a compliance

percentage in one or more reports based on the classification of one or more such stored audit

items (Amini: column 9, lines 35-47: binary logic represents a 0% or 100% compliance

percentage of stored event video), as in claim 10. However, Amini fails to specifically disclose

having the video information include video stills as in the claims. Maeno discloses a crime

prevention monitoring system (Amini: column 5,  lines 10-45) which takes live video and

generates still video images of an intruder in the committing of a crime (Maeno: column 7, lines

35-67; column 8, lines 1-68; column 9, lines 1-7: still image extraction as executed by the image

collator of figure 2, element 206) in order to generate associated video indicia for monthly

surveillance report generation (Maeno: column 9, lines 13-47). Accordingly, given this teaching,

it would have been obvious for one of ordinary skill in the art at the time of the invention to

incorporate Maeno still image extraction as implemented by the image collator into the Amini

method in order to gain the advantage of augmenting the event database with generated reports

so that a more comprehensive archiving of the Amini surveillance footage can be obtained. The

Amini method, now incorporating the Maeno still image extraction as implemented by the image

collator, has all of the features of claim 10.

Regarding claim 11, the Amini method, now incorporating the Maeno still image

extraction as implemented by the image collator, has wherein the classification is accompanied

by a predefined note (Maeno: column 9, lines 20-45), as in the claim.

Regarding claim 12, the  wherein the obtained video information is video stills (Maeno:

column 7, lines 45-67) obtained via a spreadsheet hyperlink (Amini: column 14, lines 5-18), as in

the claim.

Regarding claim 13, the Amini method, now incorporating the Maeno still image

extraction as implemented by the image collator, has wherein the obtained video information is

video clips (Amini: column 12, lines 30-43) obtained via a spreadsheet hyperlink (Amini: column 14, lines 5-18), as in the claim.

Regarding claim 14, the Amini method, now incorporating the Maeno still image extraction as implemented by the image collator, has wherein the plurality of audit items is selected from a group (Amini: column 8, lines 60-67) consisting of location (Amini: column 14, lines 50-65), time interval (Amini: column 14, lines 15-25), camera (Amini: column 15, lines 55-60), and device mapping to camera (Amini: column 17, lines 35-45), as in the claim.

Amini discloses a method for performing remote video audits (Amini: figures 7-8), the method comprising: selecting an audit item from an audit spreadsheet (Amini: column 14, lines 15-20); obtaining video information regarding the selected audit item (Amini: column 14, lines 30-40); entering a classification for the selected audit item based on reviewing the video information (Amini: column 9, lines 55-65: event processing/determination of the video), storing the selected audit item after the classification is entered (Amini: column 14, lines 65-67; column 15, lines 1-6: storing of the event specific video footage); and calculating a compliance percentage in one or more reports based on the classification of one or more such stored audit items (Amini: column 9, lines 35-47: binary logic represents a 0% or 100% compliance percentage of stored event video), as in claim 15. However, Amini fails to specifically disclose having the video information include video stills as in the claims. Maeno discloses a crime prevention monitoring system (Amini: column 5, lines 10-45) which takes live video and generates still video images of an intruder in the committing of a crime (Maeno: column 7, lines 35-67; column 8, lines 1-68; column 9, lines 1-7: still image extraction as executed by the image collator of figure 2, element 206) in order to generate associated video indicia for monthly

surveillance report generation (Maeno: column 9, lines 13-47). Accordingly, given this teaching, it would have been obvious for one of ordinary skill in the art at the time of the invention to incorporate Maeno still image extraction as implemented by the image collator into the Amini method in order to gain the advantage of augmenting the event database with generated reports so that a more comprehensive archiving of the Amini surveillance footage can be obtained. The Amini method, now incorporating the Maeno still image extraction as implemented by the image collator, has all of the features of claim 15.

Regarding claim 16, the Amini method, now incorporating the Maeno still image extraction as implemented by the image collator, has wherein the classification is accompanied by a predefined note (Maeno: column 9, lines 20-45), as in the claim.

Regarding claim 17, the Amini method, now incorporating the Maeno still image extraction as implemented by the image collator, has wherein the video information comprises video stills (Maeno: column 7, lines 45-67), as in the claim.

Regarding claim 18, the Amini method, now incorporating the Maeno still image extraction as implemented by the image collator, has wherein the video information comprises video clips (Amini: column 10, lines 20-25), as in the claim.

Regarding claim 20, the Amini method, now incorporating the Maeno still image extraction as implemented by the image collator, has a further comprising selecting a next audit item from the audit spreadsheet (Amini: column 13, lines 55-67), as in the claim.

Regarding claims 21-22, the Amini method, now incorporating the Maeno still image extraction as implemented by the image collator, has further comprising: generating a report, including information describing the at least one audit item and the classification (Maeno:

column 9, lines 20-47); and transmitting the report to at least one designated recipient (Amini:

column 10, lines 25-40), as the claims.

Regarding claim 23, the Amini method, now incorporating the Maeno still image

extraction as implemented by the image collator, has wherein the classification is selected form a

group consisting of Pass or Fail (Maeno: column 10, lines 40-58), Not Audited (Amini: column

5, lines 30-35: "Live"), Don't know (Amini: column 17, lines 45-55), and No Video (Amini:

column 18, lines 25-35), as in the claim.

Amini discloses method for performing remote video guard tours (Amini: figures 7-8),

the method comprising: selecting a guard tour from a list of available guard tours (Amini:

column 14, lines 15-20); obtaining image information for a next stop on the selected guard tour;

reviewing the image information (Amini: column 14, lines 30-40); and entering a classification

for the guard tour stop based on the review (Amini: column 9, lines 55-65), as in claim 30.

entering a classification for the selected audit item based on reviewing the video information

(Amini: column 9, lines 55-65: event processing/determination of the video), storing the selected

audit item after the classification is entered (Amini: column 14, lines 65-67; column 15, lines 1-

6: storing of the event specific video footage); and calculating a compliance percentage in one or

more reports based on the classification of one or more such stored audit items (Amini: column

9, lines 35-47: binary logic represents a 0% or 100% compliance percentage of stored event

video), as in claim 15. However, Amini fails to specifically disclose having the video

information include video stills as in the claims. Maeno discloses a crime prevention monitoring

system (Amini: column 5,  lines 10-45) which takes live video and generates still video images

of an intruder in the committing of a crime (Maeno: column 7, lines 35-67; column 8, lines 1-68;

column 9, lines 1-7: still image extraction as executed by the image collator of figure 2, element

206) in order to generate associated video indicia for monthly surveillance report generation

(Maeno: column 9, lines 13-47). Accordingly, given this teaching, it would have been obvious

for one of ordinary skill in the art at the time of the invention to incorporate Maeno still image

extraction as implemented by the image collator into the Amini method in order to gain the

advantage of augmenting the event database with generated reports so that a more

comprehensive archiving of the Amini surveillance footage can be obtained. The Amini method,

now incorporating the Maeno still image extraction as implemented by the image collator, has all

of the features of claim 30.

Regarding claim 31, the Amini method, now incorporating the Maeno still image

extraction as implemented by the image collator, has wherein the classification is accompanied

by a predefined note (Maeno: column 9, lines 20-45), as in the claim.

Regarding claim 32, Amini method, now incorporating the Maeno still image extraction

as implemented by the image collator, has further selecting a next guard tour from the list of

available guard tours (Amini: column 13, lines 55-67), as in the claim.

Regarding claims 33-34, Amini method, now incorporating the Maeno still image

extraction as implemented by the image collator, has generating a report, including information

describing the at least one guard tour and the classification (Maeno: column 9, lines 20-47)); and

transmitting the report to at least one designated recipient (Amini: column 10, lines 25-40), as in

the claims.

Regarding claim 35, the Amini method, now incorporating the Maeno still image

extraction as implemented by the image collator, has wherein the classification is selected form a

group consisting of Pass or Fail (Maeno: column 10, lines 40-58), Not Audited (Amini: column

5, lines 30-35: "Live"), Don't know (Amini: column 17, lines 45-55), and No Video (Amini:

column 18, lines 25-35), as in the claim.


### *Conclusion*

4.      Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action.  Accordingly, **THIS ACTION IS MADE FINAL**.  See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action.  In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action.  In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

5.      Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Andy S. Rao whose telephone number is (571)-272-7337.  The

examiner can normally be reached on Monday-Friday 8 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Mehrdad Dastouri can be reached on (571)-272-7418.  The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system.  Status information for published applications

may be obtained from either Private PAIR or Public PAIR.  Status information for unpublished

applications is available through Private PAIR only.  For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

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like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Andy S. Rao
Primary Examiner
Art Unit 2621


asr
/Andy S. Rao/
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April 27, 2009